

09/873,642

P-3724-2-F1-C1-C1-C2

**REMARKS**

Reconsideration of the present application and consideration of the response are respectfully requested. Claims 1, 4 to 6, 8 to 11, and 15 to 17 are currently pending, and no claims have been amended.

The Final Office Action mailed September 10, 2002 addressed claims 1, 4 to 6, 8 to 11, and 15 to 17. Claims 1, 4 to 6, 8 to 11, and 15 to 17 were rejected.

Claims 1, 4 to 6, 8 to 11, and 15 to 17 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Examiner stated that the hardness for the outer cover is not supported by the original disclosure.

Applicant respectfully submits that the Shore D hardness of 64 or less for the outer cover layer has been disclosed. Applicant respectfully submits that original claims 1 and 5 of a parent application, U.S. Patent Application Serial No. 08/556,237, filed on November 9, 1995, disclose "an outer cover layer having a Shore D hardness of 64 or less" and "an outer cover layer having a Shore D hardness of about 64 or less" respectively. Since the original claims are considered part of the specification, Applicant respectfully submits that the Shore D hardness of 64 or less has been disclosed. Applicant would be amenable to amending the specification to contain this specific language if required by the Examiner. Applicant respectfully submits that this overcomes the rejection of claims 1, 4 to 6, 8 to 11, and 15 to 17 under 35 U.S.C. § 112, first paragraph. Applicant therefore respectfully requests that the rejection of claims 1, 4 to 6, 8 to 11, and 15 to 17 be reconsidered and withdrawn.

The Examiner is invited to telephone Applicant's attorney if it is deemed that a telephone conversation will hasten prosecution of the application.

09/873,642

P-3724-2-F1-C1-C1-C2

**CONCLUSION**

Applicant respectfully requests reconsideration and allowance of each of the presently rejected claims. Applicant respectfully requests allowance of claims 1, 4 to 6, 8 to 11, and 15 to 17, the claims currently pending.

Respectfully submitted,

MICHAEL J. SULLIVAN

Customer No. 24492  
Phone: (413) 322-2937

Date: September 19, 2002

By: Michelle Bugbee  
Michelle Bugbee, Reg. No. 42,370  
Spalding Sports Worldwide  
Attorney for Applicant  
425 Meadow Street  
P.O. Box 901  
Chicopee, MA 01021-0901

cc: Richard M. Klein, Esquire (SLD 2 0035-3-3-1-1-1(III))